TOPIC 3: RECIPROCAL COMPENSATION RATE (Issue 21)

<u>ISSUE 21</u>: What should the reciprocal compensation rate be for out-of-balance Local/EAS or ISP-bound traffic?

<u>MCI's Position</u>:

MCI has proposed the rate set forth in the FCC's order on CLEC reciprocal compensation rates.

<u>RLECs' Position</u>:

As discussed in Issues 8 and 13, there is not a need for a reciprocal compensation rate. In fact, during the entire course of negotiations the Parties never discussed what would be the appropriate reciprocal compensation rate. All of the discussion surrounded if there should even be reciprocal compensation. This issue has not been discussed in negotiations and is not ripe for arbitration.

<u>Discussion</u>:

The issue is moot because of our holding above. We therefore decline to address it.

TOPIC 4: CALLING PARTY IDENTIFICATION (CPN AND JIP) (Issues 3, 14, 16)

Issues 3, 14, and 16 will be discussed together.

<u>ISSUE 3</u>: Should companies be required to provide JIP (Jurisdictional Indicator Parameter) information?

<u>MCI's Position</u>:

No. This is not a mandatory field. No other ILEC has asked that MCI provide this information, let alone on 90% of calls. The National Information Industry Forum is still working on rules for carriers choosing to populate this field for VoIP traffic and wireless carriers. The revised instructions for landline carriers was only released in December. MCI does not oppose putting "OR" as a condition of providing this or CPN on calls. But there is only a legal mandate to provide CPN currently.

RLECs' Position:

Yes. RLECs should have the ability to determine the proper jurisdiction of the calls delivered to their switches. Jurisdictional Indicator Parameter (JIP) is one of the pieces of information that is available and technically feasible which supports the RLECs ability to establish the proper jurisdiction of calls terminating to their networks. The NIIF strongly recommends that JIP be populated for both wireline and wireless carriers where technologically possible.

ISSUE 14: Should Parties be required to provide (a) CPN and JIP and (b) and pay access charges on all unidentified traffic?

MCI's Position:

MCI (a) is willing to provide CPN or JIP, but not both as the latter is an optional SS7 parameter. (No other ILEC has proposed that MCI must provide JIP) and (b) believes that all unidentified traffic should be priced at same ratio as identified traffic. A price penalty should not be applied for something MCI does not control. MCI is open to audits and studies by either Party if one or the other thinks the 10% or more of traffic missing CPN information is an effort to avoid access charges.

RLECs' Position:

Yes. In order to properly identify the jurisdiction of the traffic exchanged between the parties, the parties should be required to provide CPN and JIP. The parties should have an incentive to properly identify the jurisdiction of the traffic exchanged between them.

ISSUE 16: Should Parties have to provide the specified signaling parameters on all calls?

MCI's Position:

No. Percentages for CPN have been set above and JIP is not mandatory. MCI will agree not to alter parameters received from others, but it cannot commit to more than 90% CPN being provided.

RLECs' Position:

Yes. All signaling parameters are to be included in the signaling information, whatever the source.

Discussion:

There are three inter-related issues regarding calling party identification. The first issue is whether the parties should be required to provide a "Jurisdictional Indicator Parameter" or JIP in their call signaling information. From the RLECs' standpoint, JIP is a critical piece of information that helps the RLEC determine the physical location of the calling party and, therefore, the jurisdiction of a call that is sent to the RLEC for termination.[42] The RLECs are willing and able to provide JIP on all calls sent to MCI

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[42] TR at 79.

and believe there is no reason MCI cannot do the same.[43]

The jurisdiction of the call is important because that is what determines the appropriate intercarrier compensation exchanged between the Parties for the exchanged traffic. Local calls, intrastate interLATA, and interstate calls are all treated differently for compensation purposes. Local calls are subject to reciprocal compensation, bill and keep, or an agreement to mutually perform termination services. Intrastate interLATA calls are subject to the appropriate South Carolina intrastate switched access rates, which are approximately $0.01 per minute of use.[44] Interstate calls are subject to the appropriate interstate switched access charges, which range from approximately $0.015 to $0.025 per minute of use.[45]

RLECs have discovered that some traffic that is intrastate or interstate toll is entering their networks disguised as local traffic in order for carriers to avoid the payment of access charges.[46] Based on investigations by several industry groups, including a special Phantom Traffic Conference held by the National Exchange Carriers Association in April 2004, the traffic can be improperly identified using several methods.

One method for misrepresenting the traffic is to substitute a local calling party number ("CPN") for the actual CPN of the call. Because carriers have the ability to substitute CPN, other methods in addition to the CPN are required to properly identify the true jurisdiction of the call.[47]

Toll calls are also incorrectly identified by CPN when telephone numbers are

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[43] TR at 79.
[44] TR at 80.
[45] TR at 80.
[46] TR at 80.
[47] TR at 82.

assigned to customers that are not physically located in the rate center where the number is assigned. In the case of a Virtual NXX, telephone numbers are obtained in one rate center and assigned to customers in another rate center or even another state. When a South Carolina telephone 803-666 number is assigned to a customer physically located in San Francisco, the CPN will accurately show 803-666-2222, but the call is in fact an interstate call. Additional information is required to determine if that call is local or toll.[48]

The JIP is a six (6) digit NPA-NXX field in the SS7 message that identifies the rate center or switch from which the call was originated. In the example of the customer located in San Francisco calling to South Carolina, the CPN would show the 803-666-2222 but the JIP would be populated with a San Francisco NPA-NXX, for example 415-454. The RLECs use both the CPN and the JIP to determine the jurisdiction of the call, because they cannot accurately determine the jurisdiction of the call using only of these parameters standing alone.

The JIP still helps identify the jurisdiction of the call even in instances where the switch covers a large geographic area. At minimum, the JIP helps identify calls that are originated outside the regional switch. Therefore the call originated in San Francisco would be identified as a toll call.[49]

The Alliance for Telecommunications Industry Solution's ("ATIS") Ordering and Billing Forum ("OBF")[50] has addressed JIP over the last several years. In December of

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[48] TR at 82.
[49] TR at 83.
[50] ATIS is a United States based body that is committed to rapidly developing and promoting technical and operations standards for the communications and related information technologies industry worldwide

2004, ATIS adopted seven rules for populating JIP. Although ATIS did not make JIP a mandatory field, it strongly recommended the use of JIP by companies to assist with identifying the true jurisdiction of calls. Two of the seven rules address the issue of inclusion of JIP:

Rule 1. JIP should be populated in the Initial Address Messages (IAMs) of all wireline and wireless originating calls where technically feasible.

Rule 3. The Network Interconnection Interoperability Forum (NIIF) does not recommend proposing that the JIP parameter be mandatory since calls missing any mandatory parameter will be aborted. However the NIIF strongly recommends that the JIP be populated on all calls where technologically possible.

The NIIF rules also address the situation noted by MCI where a switch serves a regional area:

Rule 4. Where technically feasible if the origination switch or mobile switching center ("MSC") serves multiple states/LATAs, then the switch should support multiple JIPs such that the JIP used for a given call can be populated with an NPA-NXX that is specific to both the switch as well as the state and LATA of the caller.

If the JIP cannot be populated at the state and LATA level, the JIP should be populated with NPA-NXX specific to the originated switch or MSC where it is technically feasible.

We note that Rule 3 states that NIIF does not recommend proposing that the JIP parameter be mandatory. Second, Rule 4 discusses the use of JIP "where it is technically feasible."

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using a pragmatic, flexible and open approach. Over 1,100 industry professionals from more than 350 communications companies actively participate in ATIS' 22 industry committees and incubator solutions programs. These committees include National Interconnection Inter-operability Forum (NIIF), Industry Number Committee (INC) which oversees North American Number Committee (NANC), and the Ordering and Billing Forum (OBF). ATIS develops standards and solutions addressing a wide range of industry issues in a manner that allocates and coordinates industry resources and produces the greatest return for communications companies. ATIS creates solutions that support the rollout of new products and services into the communications marketplace. Its standardization activities for wireless and wireline networks include interconnection standards, number portability, improved data transmission, Internet telephony, toll-free access, telecom fraud, and order and billing issues, among others. ATIS is accredited by the American National Standards Institute (ANSI).

MCI states that its Class 5 switches, i.e. those used for local service, are in Atlanta and Charlotte. Each RLEC will be assigned to one or the other switch.[51] Such an arrangement is not unusual for CLECs, which use a limited number of switches to cover multiple ILEC serving areas, crossing state and LATA boundaries.[52] Under this arrangement, a call originating in Columbia and ending in Columbia would produce a JIP that would indicate the call is a toll call from Atlanta/Charlotte. Obviously, the call should be rated and billed to the originating end user as a local call.[53]

MCI states that it will pass JIP, but it will only be the JIP of the MCI switch, which will limit the use of JIP to accurately rate traffic. MCI states that it will not and cannot pass a unique JIP for every LATA served by its switch as the RLECs request.[54] Further, MCI notes that a unique JIP for every LATA is not required. MCI notes that a requirement that CLECs provide a unique JIP for every local calling area served by a CLEC switch would require the scope of the CLEC switch to be limited because separate partitions would have to be created for each JIP and separate "look-up" tables would have to be managed and created for each RLEC local calling area. According to MCI, this would create significant additional equipment, software and administrative cost and would create network inefficiency, reducing the economies of scale available to CLECs for switching. Further, MCI states that a requirement that CLECs provide RLECs with a unique JIP for every local calling area served by the CLEC switch would cause CLECs to limit the calling area scope of their class 5 switches and to exit certain markets.

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[51] TR at 143.
[52] TR at 143-44.
[53] TR at 147.
[54] TR at 90, 147, 149-50, 200-02.

On the other hand, MCI has a DMS switch, and the DMS switch is capable of supporting multiple JIPs.[55] At a minimum the JIP parameter is included with the LNP software if it was not already part of the switch.[56] We find that there is a need for jurisdictional information in addition to the CPN in order to enable the Parties to properly identify the jurisdiction of the call. However, based on MCI's assertions, we also find that providing JIP information may not technically feasible or economical. We, therefore, hold that the Parties should be required to provide both CPN and JIP where it is technologically and economically feasible, as defined by not being a barrier to entry.

Issue 14 relates to the question of traffic that lacks CPN or JIP (as proposed by MCI) or that lacks CPN and JIP (as proposed by the RLECs). MCI proposes that unidentified traffic be treated as having the same jurisdictional ratio as the ratio of the identified traffic. The RLECs agree with this premise, except that if the unidentified traffic exceeds 10% of the total traffic, then the RLECs state that all the unidentified traffic shall be billed at the RLECs' access charge rates.[57] The MCI proposal is reasonable, and we adopt MCI's proposal. Concerns over fraud may be dealt with by the parties through audit provisions and cooperative efforts pursuant to language to which the parties have already agreed.[58]

Issue 16 also relates to whether or not the parties should be required to provide JIP, but involves another issue as well. MCI has proposed language that will enable it to "pass along as received" signaling information it receives from other carriers. According

[55] TR at 89.
[56] TR at 336.
[57] TR at 93, 334.
[58] TR at 152.

to MCI, its proposed language is to be preferred, because no party can guarantee that CPN will exist on all calls. MCI states that it, no differently than other carriers, will have as much control over traffic to and from TWCIS as the RLECs themselves have over traffic to and from their customers.[59]

Again, we would state that the Companies should be required to provide JIP where it is technologically and economically feasible as defined by not being a barrier to entry.

We therefore adopt the following language on these issues:

GT&C, § 9.5:

> The Parties shall each perform traffic recording and identification functions necessary to provide the services contemplated hereunder. Each Party shall calculate terminating duration of minutes used based on standard automatic message accounting records made within each Party's network. The records shall contain the information to properly assess the jurisdiction of the call including ANI or service provider information necessary to identify the originating company, including the JIP and originating signaling information, the provision of the JIP being where it is technologically and economically feasible as defined by not being a barrier to entry. The Parties shall each use commercially reasonable efforts, to provide these records monthly, but in no event later than thirty (30) days after generation of the usage data.

Interconnection Attachment, § 2.7.7:

> The Parties will prorate unidentified traffic by jurisdiction according to the identified traffic. The Parties will coordinate and exchange data as necessary to determine the cause of the CPN or JIP failure (where the provision of JIP was attempted) and to assist its correction.

Interconnection Attachment, § 3.6:

> Signaling Parameters: ILEC and CLEC are required to provide each other with the proper signaling information (e.g. originating accurate Calling

[59] TR at 125, 152-53.

> Party Number, JIP [where technologically and economically feasible as defined by not being a barrier to entry)] and destination called party number, etc.) pursuant to 47 C.F.R. § 64.1601, to enable each Party to issue bills in an accurate and timely fashion. All Common Channel Signaling (CCS) signaling parameters will be provided including CPN, JIP (where technologically and economically feasible as defined by not being a barrier to entry), Calling party category, Charge Number, etc. All privacy indicators will be honored.

IV. CONCLUSION.

The Parties are directed to implement the Commission's resolution of the issues addressed in this Order by modifying the language of the Interconnection Agreement to the extent necessary to comply with the rulings and framework established herein. The Parties shall file an Agreement with the Commission within sixty (60) days after receipt of this Order. If the Parties are unable, after good faith efforts, to mutually agree upon language with respect to any of the issues addressed in this Order, at the end of the sixty (60) days, the respective Parties shall file proposed language representing the most recent proposal to the other Party on that issue, and the Commission shall adopt the language that best comports with the Commission's findings in this proceeding.

This Order is enforceable against MCI and the RLECs. RLEC affiliates which are not incumbent local exchange carriers are not bound by this Order. Similarly, MCI affiliates are not bound by this Order. This Commission cannot enforce contractual terms upon an RLEC or MCI affiliate which is not bound by the Act.

This Order shall remain in full force and effect until further Order of the Commission.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

Randy Mitchell

Randy Mitchell, Chairman

ATTEST:

G. O'Neal Hamilton

G. O'Neal Hamilton, Vice Chairman

(SEAL)

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BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
Docket No. 2004-280-C

IN RE:	)	
	)	
Application of Time Warner Cable Information Services (South Carolina), LLC, d/b/a Time Warner Cable to Amend its Certificate of Public Convenience and Necessity to Provide Local Voice Services in Service Areas of Certain Incumbent Carriers who Currently Have a Rural Exemption	)	PETITION FOR REHEARING OR RECONSIDERATION OF ORDER NO. 2005-412 OF TIME WARNER CABLE INFORMATION SERVICES (SOUTH CAROLINA), LLC

Pursuant to S.C. Code Section 58-9-1200 and 26 S.C. Regs. 103-836(4) Time Warner Cable Information Services (South Carolina), LLC ("TWCIS") submits this petition seeking reconsideration or rehearing of Order No. 2005-412. Although Order No. 2005-412's reasoning is open to interpretation, the Order contravenes both state and federal law under any possible reading. If the order reflects a ruling that competitive local exchange carriers ("CLECs") are not entitled to a certificate to serve rural areas until the Public Service Commission of South Carolina ("Commission") has pierced the rural exemption of 47 U.S.C. § 251(f), it is wrong: both state and federal law render it impermissible for the Commission to withhold a certificate on that basis. If the order reflects a ruling that TWCIS is not entitled to a certificate on the theory that it does not need one to provide the kind of service that it intends to provide, the order likewise contravenes both state and federal law: as a practical matter, TWCIS does need a certificate for that purpose, and, even if that were not so, lack of the immediate need for a certificate is not a valid ground for withholding one. TWCIS has satisfied the statutory criteria for certification which by itself requires the Commission to reverse its decision. In support of its petition, TWCIS would show the following:

1. On August 1, 2005, the Commission issued Order No. 2005-412 in which it denied TWICS' request to amend its certificate to provide local voice services in the service areas of Farmers Telephone Cooperative, Inc.; Fort Mill Telephone Co., d/b/a Comporium Communications, Inc.; Home Telephone Co., Inc.; PBT Telecom, Inc.; and St. Stephen Telephone Co. (collectively "ILECs"). Counsel was served with Order No. 2005-412 by certified mail on August 3, 2005.

2. TWCIS submits that its substantial rights have been prejudiced because the findings, inferences, conclusions, and decisions are

a. in error of law;

b. violate statutory provisions;

c. clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; and

d. arbitrary and capricious or characterized by an abuse of discretion.

TWCIS respectfully petitions the Commission to rehear and reconsider its Order No. 2005-412 for the following reasons.

THE ORDER'S FINDINGS AND CONCLUSIONS OF LAW ARE NOT SUPPORTED BY THE RECORD

3. The Commission's order erroneously finds that there is a failure of proof regarding the original application. Order No. 2005-214 indicates that the Company seeks only the authority to enter into negotiations toward interconnection agreements with the ILECs in spite of testimony which repeatedly and directly contradicts this assertion. The Commission focused on a small portion of Ms. Patterson's testimony in which she explained the impact of the

Vonage ruling on the Company's retail VoIP service offering in the context of MCI's pending arbitration with the ILECs. At the same time the Commission ignored numerous instances in which Ms. Patterson testified that TWCIS seeks to amend its initial certification order to be a full-fledged CLEC in the service territories of the ILECs. Tr. 18, 29, 34, 35, & 119. Ms. Patterson specifically indicated that TWCIS sought authority to provide all types of services including both retail and wholesale. Tr. 36 & 56. The Order is clearly erroneously in light of the substantial evidence of the whole record.

4. The Commission's order erroneously finds that it there is a failure of proof because TWCIS failed to request a waiver of the ILECs rural exemptions under 47 U.S.C.A. § 251(f)(1) in this proceeding. Neither the federal Telecommunications Act nor S.C. Code Section 58-9-280 require a CLEC to pierce the rural exemption in order to be certificated. The ILECs' own expert witness indicated that certification does not eliminate the ILECs' rural exemption or prevent the ILEC from seeking protection from other obligations imposed under Section 251(b) of the Telecommunications Act. Tr. 166-167.

5. Section 251(f)(1) provides that a rural telephone company is exempt from certain interconnection obligations until the ILEC receives a bona fide request for interconnection and the State Commission determines that such a request is not unduly economically burdensome, is technically feasible, and is consistent with Section 254. 47 U.S.C.A. § 251(f)(1)(A). The ILEC is not exempt from competition by firms that can compete without invoking rights under Section 251(c).

6. Section 253(a) prohibits the states from barring competition in rural areas. The Commission's order allows the ILECs to effectively prohibit competition within their service areas until such time as they choose to interconnect with CLECs. The FCC has indicated that

requirements which allow "incumbent LECs to *prohibit—legally, absolutely, and entirely at their own discretion—the ability* to provide local exchange telecommunications service" are insurmountable barriers to entry prohibited by the federal Act. *In the Matter of Silver Star Telephone Co., Inc. Petition for Preemption*, 13 FCCR 16,356, 13 FCC Rcd. 16356, ¶ 3 (1998). *See also In the Matter of AVR, LP, dba Hyperion of Tennessee Petition for Preemption*, 14 FCCR 11,064, 14 FCC Rcd. 11064, ¶13 – 15 (199). *See also RT Communications, Inc. v. FCC*, 201 F.3d 1264, 1268 (10th Cir. 2000).

7. The Commission's holding that TWCIS should have sought to pierce the rural exemption in this certification proceeding is clearly erroneous. The Commission has required no other CLEC to pierce a rural exemption in order to be certificated throughout the State of South Carolina. Tr. 207 - 208. The ILECs' testimony indicated that the South Carolina Telephone Coalition ("SCTC") entered into stipulations with all other CLEC applicants providing that in exchange for the CLEC's agreement to provide advance notice to the Commission and the ILEC prior to offering service in that ILEC's area, the SCTC would not oppose the CLEC's application for certification. Tr. 207-208. The SCTC agreed with other CLECs on the stipulation primarily because other CLEC applicants had no facilities within the rural areas; and therefore, did not have the actual capability to provide service. Tr. 208, l. 9-21. While the federal Act protects rural telephone companies by exempting them from certain interconnection obligations, it does not provide for rural telephone companies to be protected from a competition in the market through the state certification process. The Act prohibits an outright ban of competition and prohibits states from impeding competition. *AT&T v. Iowa Utilities*, 525 U.S. 366, 371 (1999).

THE ORDER ERRONEOUSLY HOLDS THAT TWCIS HAS THE ABILITY TO ENTER INTO INTERCONNECTION AGREEMENTS

8. The Commission's ruling that the Company possesses the ability to negotiate interconnection agreements without being certificated violates statutory law. S.C. Code Section 58-9-280(C)(1) provides that the Commission is to determine the requirements applicable to all local carriers and that the requirements shall be consistent with federal law and shall "provide for the reasonable interconnection of facilities between all ***certificated*** local telephone service providers upon a bona fide request for interconnection...." S.C. Code § 58-9-280(C)(1) (Supp. 2004)(emphasis added). The ILECs expert agreed that TWCIS cannot begin the process for interconnection until TWCIS is certificated by the Commission. Tr. 166.

9. The Commission's ruling that TWCIS possesses the ability to enter into Section 251 negotiations without an expanded certificate is also erroneous as a practical matter. Incumbent carriers will not sell services to a CLEC until that CLEC provides proof of certification. See Interconnection Agreements between Horry Telephone Cooperative and Global Connection, filed November 1, 2004, Docket No. 2004-317-C, § 1.8 (The effective date shall be no earlier than proof of CLEC certification in the jurisdiction); Alltel and BellSouth Long Distance, filed August 2, 2005, Docket No. 2005-228-C, § 1.4 (Prior to execution of this Agreement BSLD agrees to provide ALLTEL in writing BSLD's CLEC certification....); BellSouth and KMC Data, filed July 18, 2005, Docket No. 2005-214-C (Prior to execution of this Agreement, BellSouth may request and KMC agrees to provide BellSouth in writing KMC's CLEC certification....).

THE COMMISSION'S DECISION IS ARBITRARY AND CAPRICIOUS SINCE TWCIS MET THE STATUTORY CERTIFICATION REQUIREMENTS

10. S.C. Code Section 58-9-280(B) provides the statutory requirements for a certificate authorizing a telephone utility to provide local telephone service in the territory of an incumbent local exchange carrier. The Commission has twice held that TWCIS meets the statutory requirements for a certificate. In Order No. 2004-213, the Commission found that TWCIS possesses the technical and managerial expertise and financial resources to commence operations as a telecommunications service provider in South Carolina. See Order 2004-213, p. 9, ¶ 3. The Commission has also ruled that TWCIS provision of service won't adversely impact the availability of affordable local exchange service, that TWCIS would support universally available telephone service at affordable rates, and that the service will meet the Commission's service standards. Order 2004-213, p. 10, ¶ 4-6.

11. The Commission recently found that TWCIS meets the statutory requirements to expand its certificate within the area of a rural telephone company, Alltel South Carolina, Inc. In Order No. 2005-385 amended July 27, 2005, by Order No. 2005-385(A), the Commission granted the relief sought in the Application based upon the verified testimony of Ms. Patterson in the Alltell docket and the testimony of Ms. Patterson in this docket. The Commission again held on July 27, 2005, that TWCIS continues to meet all statutory requirements for the provision of service as a CLEC as delineated in S.C. Code Ann. Section 58-9-280 (Supp. 2004). Amended Order 2005-385(A), p. 5, ¶ 6.

12. Failure of the Commission to correct Order 2005-412 would result in a violation of the S.C. Administrative Procedures Act, which requires that the final decision or order in a contested case be based on the record before the agency. S.C. Code § 1-23-350. The testimony of

Julie Patterson specifically addressed each of the statutory requirements of S.C. Code Section 58-9-280(B). Tr. 14-16, 21-22, 25-26. The testimony of Ms. Patterson repeatedly indicated that TWICs was seeking

> authority as a fully regulated competitive local exchange carrier…to operate and provide various telecommunications services in the areas covered by the Coalition incumbent LECs. So, we are here today simply to expand our operating territory into these other areas. We showed last year, today have the same…the same financial, technical and managerial capabilities as we were found to have had a year ago, and in fact have enhanced and added to our technical and managerial capabilities on the telecommunications side since last year.

Tr. 28, l. 9-21. See also Tr. 29, 34, 35, 102-103.

Ms. Patterson emphasized during the hearing that TWCIS was seeking "full CLEC authority to provide different services than those VoIP services. We will be a fully regulated, competitive local exchange carrier and interexchange carrier subject to the Commission's full jurisdiction. I want there to be no question about that." Tr. 30, l. 12-17. See also Tr. 36, l. 14-15. The Order's finding of fact and conclusion of law that the original application must be denied as moot made on representations made at the hearing is therefore arbitrary, capricious, and characterized by an abuse of discretion.

Time Warner Cable Information Services (South Carolina), LLC respectfully requests that the Commission issue an order

A. reversing its decision in Order No. 2005-412,

B. granting TWCIS' application to expand its certificate to include the service areas of the ILECs, and

C. granting such other relief as is just and proper.

Dated this ___15th___ day of August, 2005.

ROBINSON, McFADDEN & MOORE, P.C.

By____________________

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